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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,965	08/10/2006	Mitsunori Tanaka	1248-0892PUS1	3961
2292	7590	11/09/2009	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				LEBASSI, AMANUEL
ART UNIT		PAPER NUMBER		
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			11/09/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/588,965	TANAKA, MITSUNORI	
	<b>Examiner</b>	<b>Art Unit</b>	
	AMANUEL LEBASSI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 July 2009.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-7 and 9-13 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-7 and 9-13 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 August 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

1. Applicant's arguments with respect to claims 1-7, 9-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iijama US 5369760 in view of Hori US 6084863.

Regarding claim 1, Iijama discloses a transmitting device which successively receives data, and which successively transmits the received data (**col. 1, lines 53-56 where data is transmitted serially between the first and second electronic devices**). Iijama discloses a transmitting unit performing, data transmission via wireless communications (**col. 1, lines 53-60 where data is transmitted**) and a control unit (i) prohibiting, when a first instruction is received, the data transmission of the received data performed by the transmitting unit, and (ii) permitting, when a second instruction is received, the data transmission having been prohibited (**col. 2, lines 31-35 where the system is controlled by a controller such that the divided data strings are**

**alternately transmitted and received by the two devices therefore data transmission is prohibited and permitted alternately).** Iijama discloses wherein said transmitting unit further transmits a signal indicating that the data transmission of the received data is prohibited (**col. 2, lines 14-25**). Iijama is silent where data transmission via wireless communications

However, Hori teaches where data transmission via wireless communications (abstract, where data is transmitted using TDMA therefore wireless communications).

At the time of invention, it would have been obvious to modify the invention of Iijama with teaching of Hori. The motivation would be in order to control and restrain interference (**col. 1, lines 7-16**).

Regarding claim 2, Iijama discloses wherein said control means receives the first and second instructions from a remote control (**col. 2, lines 31-35 using a controller**).

Regarding claim 3, Iijama discloses wherein said control means receives said first instruction only when a predetermined instruction is received (**col. 2, lines 31-35**).

Regarding claim 4, Iijama discloses wherein said transmitting means further transmits a signal indicating that the data transmission of the received data is prohibited (**col. 4, lines 7-10**).

Regarding claim 5, Iijama discloses a receiving device for receiving the data transmitted from the transmitting device (**col. 2, lines 49-54**).

Regarding claim 6, Iijama modified by Hori teaches the transmitting unit of said transmitting unit further transmits a signal indicating that the data transmission of the received data is prohibited and said receiving device includes a display unit for performing display based on the signal (**col. 4, lines 56-64 where transmission is restrained therefore prohibited**).

Regarding claim 12, Iijama discloses program for causing a computer to function as the control unit of said transmitting unit (abstract where a computer generates control codes)

4. Claims 7, 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hori US 6084863 in view of Tanaka et al. US 5909543.

Regarding claim 7, Hori discloses a wireless communications system having a pair of a transmitting device and a receiving device each having an antenna (**abstract, radio communication system with transmitter and receiver**) . Hori discloses an operation unit for enabling modification of various settings of said wireless communications system (**col. 3, lines 22-28 where each lower station is provided with a transmitter which enables it to vary the transmission output therefore operation unit for enabling modification**). Hori discloses an operation signal receiving unit for receiving an operation signal which is an instruction from the operation unit, wherein said operation unit generates a switching operation signal for a purpose of switching a communications status of the antenna of at least one of said transmitting device and receiving device, between a communications-enabled status and a communications-disabled status (**col. 3, lines 54-63 and col. 7, lines 53-62 where operation unit generates a switching operation signal which is logic “1” that is an enable signal**), and said transmitting or receiving device includes a control unit for controlling the antenna to be the communications-enabled status or communications-disabled status, when the switching operation signal is received via the operation signal receiving unit (**col. 6, lines 33-44 where a transmission control signal having correspondence to the usage of respective time slots is outputted from the receiving condition memory therefore a control unit for controlling the antenna**). Hori is silent on a communications status recognition unit for allowing recognition of whether or not

said communications status of the antenna is in the communications-enabled status or in the communications-disabled status.

However, Tanaka teaches a communications status recognition unit for allowing recognition of whether or not said communications status of the antenna is in the communications-enabled status or in the communications-disabled status (**col.7, line 16-22 where the connection status recognition unit is started up).**

At the time of invention, it would have been obvious to modify the invention of Hori with teaching of Tanaka.

Regarding claim 9, the combination of above teaches said receiving device includes (i) display unit performing a displaying operation based on a video signal received from the transmitting device, or the operation signal received from the operation unit, and (ii) a storage unit for storing communications status information for use in indicating the communications status on the display unit; and when a predetermined operation signal is received via the operation signal receiving unit, said communications status recognition means unit is realized by performing a control operation so that the display means-unit displays the communications status information having read out from the storage unit, the communications status information corresponding to the communications status of the antenna (see above)

Regarding claim 10, Hori discloses said storage means unit stores therein, in addition to the communications status information, information for use in displaying an item or a symbol related to the antenna; and when the predetermined operation signal is received via the operation signal receiving means unit, the item or the symbol related to the antenna is displayed, along with the communications status information, by superimposing the item or the symbol on the video signal being received (col. 6, lines 25-33).

Regarding claim 11, the combination teaches operation means-unit is operable only in an inspection process (see above).

Regarding claim 13, Hori discloses a computer-readable storage medium storing therein said program (**col. 7, lines 52-63 a memory for storing program**)

### ***Conclusion***

1. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amanuel Lebassi, whose telephone number is (571) 270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Amanuel Lebassi*  
/A. L./  
10/29/2009

/NICK CORSARO/  
Supervisory Patent Examiner, Art Unit 2617